

REMARKS

Claims 1, 2, 4-12, and 14-20 are presently pending. Claims 3 and 13 have been canceled. Claims 11, 12, and 14-19 have been withdrawn. Claims 1, 2, 5, 7, 8, 11, 12, 15, 17, 20 have been amended. No new matter has been added.

In the Office Action, claims 1, 2, 5, 7, 8, and 20 were rejected under 35 USC 112, first paragraph, based on the term “article” used in the claims. Applicants have amended the claims to overcome this rejection by changing “article” to “disk.” Claim 9 was also rejected under 35 USC 112, first paragraph, because the Examiner alleges that the specification does not enable one skilled in the art to rotate a burnishing tape on the disk. Applicants respectfully traverse this rejection. One skilled in the art would know how to rotate a burnishing tape, which is accomplished in the same manner as rotating a brush or a pad according to the present invention. The rejections under the first paragraph of section 112 have been overcome and should be withdrawn.

Claims 1-10 and 20 were rejected under 35 USC 112, second paragraph. Applicants have amended the claims to overcome the rejection and it therefore should be withdrawn. Applicants direct the Examiner to paragraph [0029] of the specification for an explanation of an angle of the burnishing object being offset from a line passing through the center of the disk.

Claims 1-8 and 20 were rejected under 35 USC 102(b) as anticipated by Tateyama et al. Applicants respectfully traverse the rejection. To anticipate a claim, the reference must teach every element of the claim. MPEP 2131. Claim 1 recites “the device changes the offset angle of the burnishing object and translates the burnishing object while cleaning the disk.” Claim 20 recites “means for simultaneously translating and rotating the burnishing object on the disk while cleaning the disk.” Tateyama does not disclose changing the offset angle of the burnishing object and translating the burnishing object while cleaning the disk. Thus, Tateyama et al. does not anticipate claim 1 or claim 20. Claims 1 and 20 are allowable over the prior art of record. Claims 2 and 4-8 depend from claim 1 and are therefore allowable for at least the same reason.

Claims 9 and 10 were rejected under 35 USC 103(a) as unpatentable over Tateyama et al. Claims 9 and 10 depend from allowable claim 1 and, for the reasons stated above, are allowable over the prior art of record.

In view of the above, each of the pending claims is in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Attorney Docket No. 146712004200.

Dated: February 15, 2006

Respectfully submitted,

By 

Raj S. Dave

Registration No.: 42,465

MORRISON & FOERSTER LLP

1650 Tysons Blvd., Suite 300

McLean, Va 22102

(703) 760-7755 – Telephone

(703) 760-7777 – Facsimile